

DRAFT

MINUTES OF THE CITY COUNCIL
OF THE
CITY OF GREENSBORO, N. C.

REGULAR MEETING:

4 APRIL 2000

The City Council of the City of Greensboro met in regular session at 5:30 p.m. on the above date in the Council Chamber of the Melvin Municipal Office Building with the following members present: Mayor Keith A. Holliday, presiding; Councilmembers Sandra G. Carmany, Yvonne J. Johnson, Earl F. Jones, Robert V. Perkins, Thomas M. Phillips, Donald R. Vaughan and Nancy Vaughan. Absent: Councilmember Claudette Burroughs-White, excused by action of Council. Also present were J. Edward Kitchen, City Manager; Linda A. Miles, City Attorney; and Juanita F. Cooper, City Clerk.

The meeting was opened with a moment of silence and the Pledge of Allegiance to the Flag.

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The Manager recognized Darryl Courts, employee in the Fire Department, who served as courier for the meeting.

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The Mayor explained the Council procedure for conduct of the meeting.

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Councilmember Johnson moved that Councilmember Burroughs-White be excused from attendance at this meeting. The motion was seconded by Councilmember Vaughan and adopted unanimously by voice vote of Council.

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Mayor Holliday stated that this was the time and place set for a public hearing to consider an ordinance annexing territory to the corporate limits located on the south side of Assembly Road—0.29 acres. He thereupon introduced so that these matters could be discussed together, an ordinance establishing original zoning from County Zoning RS-30 Residential Single Family to City Zoning RS-12 Residential Single Family for property located on the south side of Assembly Road east of Pineneedle Drive.

William Ruska, Zoning Coordinator for the Planning Department, described the property, noted the favorable recommendation by the Planning Board and Zoning Commission for the annexation and rezoning requests, used a map and slides to illustrate the property and surrounding area, and advised this property met the criteria established by Council for annexation.

Mayor Holliday asked if anyone wished to be heard.

There being no one present desiring to speak to these issues, Mr. Ruska provided the following staff recommendation:

The Planning Department recommends that this original zoning request be approved.

RS-12 is the predominant zoning classification in this extended area and is the district to which the majority of this property is already zoned.

The Planning Board has recommended in favor of the annexation.

Councilmember Vaughan moved that the public hearing be closed. The motion was seconded by Councilmember Phillips and adopted unanimously by voice vote of Council. Councilmember Phillips thereupon moved adoption of the ordinance annexing territory to the corporate limits located on the south side of Assembly Road—0.29 acres. The motion was seconded by Councilmember Johnson; the ordinance was adopted on the following roll call vote: Ayes: Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

00-52 AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED ON THE SOUTH SIDE OF ASSEMBLY ROAD – 0.29 ACRES)

Section 1. Pursuant to G.S. 160A-31, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at a point, said point being on the south right-of-way line of Assembly Road, said point also being on the city limit line, running thence with the south right-of-way line of Assembly Road, S 88° 14' 30" E, for a distance of approximately 16 feet; thence departing from the right-of-way line of Assembly Road and running S 02° 20' 07" E, 236.28' feet; thence running N 88° 15' 43" W, for a distance of approximately 80 feet, to a point in the city limit line, said city limit line being located 150 feet east of and parallel to Pineneedle Drive; thence running with the city limit line N 13° 59' 00" E, 246 feet, to the point of BEGINNING, containing 0.29 acre based on a survey by Wayne L. Stutts, P.A.

Section 2. The owner agrees to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owner shall be fully responsible for extending water and sewer service to the property at said owner's expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after June 30, 2000, the liability for municipal taxes for the 2000-2001 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after June 30, 2000.

(Signed) Thomas M. Phillips

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Councilmember Carmany moved adoption of the ordinance establishing original zoning from County Zoning RS-30 Residential Single Family to City Zoning RS-12 Residential Single Family for property located on the south side of Assembly Road east of Pineneedle Drive. The motion was seconded by Councilmember Jones; the ordinance was adopted on the following roll call vote: Ayes: Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

00-53 AMENDING OFFICIAL ZONING MAP

SOUTH SIDE OF ASSEMBLY ROAD EAST OF PINENEEDLE DRIVE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. The Official Zoning Map is hereby amended by establishing original zoning from County Zoning RS-30 Residential Single Family to City Zoning RS-12 Residential Single Family uses for the area described as follows:

BEGINNING at a point, said point being on the south right-of-way line of Assembly Road, said point also being on the city limit line; running thence with the south right-of-way line of Assembly Road S 88° 14' 30" E for a distance of approximately 16 feet; thence departing from the right-of-way line of Assembly Road and running S02° 20' 07" E 236.28 feet; thence running N 88° 15' 43" W for a distance of approximately 80 feet to a point in the city limit line, said city limit line being located 150 feet east of and parallel to Pineneedle Drive; thence running with the city limit line N 13° 59' 00" E approximately 246 feet to the point and place of BEGINNING, and containing 0.26 acres based on a survey by Wayne L. Stutts, P.A..

Section 2. This ordinance shall be effective upon the date of annexation.

(Signed) Sandy Carmany

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Mayor Holliday stated that this was the time and place set for a public hearing to consider an ordinance amending Chapter 27 of the Greensboro Code of Ordinances with respect to Stormwater Management. He thereupon introduced so that these matters could be discussed together, a resolution approving Stormwater Management Manual (First Edition) and authorizing the filing thereof with the City Clerk. The Mayor asked if anyone wished to be heard.

Scott Bryant, Stormwater Services, provided a brief overview and explanation of the proposed amendments and the First Edition of the Stormwater Management Manual. He also advised the Manual replaced the Guilford County Manual and would offer more flexibility and better solutions. Council discussed with Mr. Bryant examples of situations which would be considered as exceptions, the perspective of the development community, and other specific information related to the proposed amendments.

There being no one present desiring to speak to these matters, Councilmember Johnson moved adoption of the ordinance. The motion was seconded by Councilmember Vaughan; the ordinance was adopted on the following roll call vote: Ayes: Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

00-54 AMENDING CHAPTER 27

ORDINANCE AMENDING THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO STORM WATER MANAGEMENT

Section 1. That ~~Chapter 27 is hereby amended by adding a new~~ Section 27-22, Storm Water Management Control Requirements, is hereby amended to read as follows:

Sec. 27-22 Stormwater Management Control Requirements

(a). Purpose

- (1) The purpose of the "Stormwater Management Control Ordinance" is to protect, maintain, and enhance the public health, safety, and general welfare by establishing minimum requirements and procedures to control the adverse effects of increased stormwater runoff associated with new development or redevelopment within the City of Greensboro. Proper management of stormwater runoff, including the provision of appropriate stream buffers, will minimize damage to public and private property, promote a functional storm drainage system, reduce local flooding and drainage problems, and maintain, to the extent practicable, the pre-developed stormwater runoff characteristics of the developed site.

(b). Applicability

- (1) Coverage. This Section (Stormwater Management Control Requirements) applies to the following type of developments.
 - a. All sites containing new development and/or redevelopment including grading, paving, gravel placement, and construction of buildings and other structures within the corporate limits [and the extraterritorial jurisdiction](#) of the City of Greensboro.
 - b. The construction [and installation](#) of new public [improvements by local government agencies](#) ~~streets or the widening of existing streets~~ shall comply with the provisions of this Article to the extent practicable.

(c). Participation in a Regional Stormwater Management Facility

- (1) Where Permitted. Where a regional stormwater management facility has been established by one or more local governments, or by an authority operating on behalf of one or more local governments, a development may participate in said program in lieu of any certification of runoff control required by this Article, provided that:
 - a. Runoff from the development drains to an approved existing or proposed public regional stormwater management facility that will be operational within two years;
 - b. Participation is in the form of contribution of funds, contribution of land, contribution of stormwater management facility construction work, or a combination of these, the total value of which shall be in accordance with fee schedule adopted by the City Council; and
 - c. The Technical Review Committee finds that the Stormwater Management Plan is in compliance with all other applicable requirements of this Article.
- (2) Use of Contributions. Each contribution from a development participating in a regional stormwater management facility shall be used for acquisition, design, construction or maintenance of one or more such facilities in the same watershed in which the development is located.

(d). Stormwater Management Plan

- (1) Plan Required. A Stormwater Management Plan and separate maintenance plan in accordance with the requirements of this Article shall be submitted to the Enforcement Officer and shall include all applicable information listed in the Stormwater Management ~~Guidance~~ Manual and the Storm Sewer Design Manual. The Stormwater Management Plan may be combined with any required Watershed [Development](#) Plan.
- (2) Plan Approval. The Technical Review Committee is authorized to approve the Stormwater Management Plan, which is in conformance with the requirements of this Article. [Approval of the Stormwater Management Plan must be as follows:](#)
 - a. [Site Plans: The Stormwater Management Plan and separate maintenance plan must have approval prior to or concurrent with site plan approval.](#)
 - b. [Preliminary Subdivision Plats: The Stormwater Management Plan must have approval prior to or concurrent with preliminary subdivision plat approval except that when a stormwater management improvement is proposed, the construction plan details including proposed grading, dimensions, calculations, etc. for the proposed improvement and the separate maintenance plan may be approved following preliminary subdivision plat approval. The construction plan details and separate maintenance plan must be approved prior to issuance of any permits as specified in Section 27-22 \(d\) \(3\).](#)

- (3) Approved Plan a Prerequisite. The Enforcement Officer is not authorized to issue any permits, except as provided in Section 30-3-4.2 (Permits Issued Prior to Site Plan or Preliminary Plat Approval) of the Greensboro Development Ordinance, for development on any land unless and until a Stormwater Management Plan, that is in compliance with the requirements of this Section, has been approved.
- (4) Plan Certification Requirement For Structural Stormwater Management Improvements. Where a structural stormwater management improvement is required for a development to meet the requirements of this Article, a North Carolina licensed professional engineer shall sign and seal a certification on the plan that the plan meets all stormwater management requirements of this Section.

(e). *Stormwater Management Improvements*

(1) Construction of Improvements.

- a. The construction of all structural stormwater management improvements, shown on an approved Stormwater Management Plan shall be substantially completed prior to final plat recordation or issuance of any building certificate of compliance. Upon approval by the Enforcement Officer, a surety for the completion of stormwater management improvements may be given to the City of Greensboro in order to record the final plat.
- b. Final approval of the installed stormwater management improvements is required at the time of issuance of the final building certificate of compliance. If neither a building permit nor a grading permit is required for a site, then the installation of the required structural stormwater management improvements shall be substantially completed or a surety for completion must be obtained prior to installation of any built-upon area on the site. An engineer's certification of completion of the form below (which is identical to Table 30-7-1-6 of the Greensboro Development Ordinance), shall be required prior to final approval by the Enforcement Officer.

Table 30-7-1-~~63~~

ENGINEER'S CERTIFICATION OF STORMWATER CONTROL COMPLETION

The engineer's certification, required according to Section 30-7-1.6(B) of the Greensboro Development Ordinance and Section 27-22(e) of the Stormwater Management Ordinance upon completion of permanent ~~runoff~~ stormwater control structures, shall be of the following form:

ENGINEER'S CERTIFICATION OF STORMWATER CONTROL COMPLETION

I certify that the permanent stormwater runoff control(s) ~~structure~~ labeled as _____ on this plat (or, on (name of plat) as recorded in PB __, PG __ in the Office of the Guilford County Register of Deeds) has been completed in conformance with the plans and specifications approved on (approval date), ~~and~~ has its full design volume available, and is functioning as designed.

P.E. SEAL
SIGNATURE
DATE _____

- (2) Recordation of Permanent Improvements. All permanent stormwater management improvements and associated access / maintenance easement(s) shall be recorded on a Final Plat, and if required by Section 27-22 (e) (3), a mechanism to ensure their maintenance shall be established concurrent with or prior to plat recordation.
- (3) Maintenance Responsibility.

- a. When a stormwater management improvement serves more than one parcel, an owners' association or binding contract for the purpose of maintenance is required. See Section 30-6-10.1, Establishment of Owners' Association, of the Greensboro Development Ordinance.
- b. The owner or owners' association shall be responsible for maintaining the completed stormwater management improvement as directed by the governmental office having jurisdiction for stormwater management or by the approved maintenance plan. If an owners' association is responsible for the maintenance of the stormwater management improvements such responsibility must be stated in the association declaration. An underground oversized storm sewer system which is approved through TRC for acceptance and maintenance by the City, carries public waters and is located either in the dedicated street right-of-way or drainage maintenance and utility easement is exempt from this requirement.
- c. The Enforcement Officer has the authority to inspect stormwater management improvements and to notify the responsible property owner or owners' association when maintenance or repairs are required. All required repairs and maintenance shall be performed within ninety (90) days after such notice. In case of failure by the responsible party to perform the required maintenance or repairs within the stated period, the City may perform such maintenance or repairs and recover all costs attendant thereto from the property owner or owners' association.

(f). Stream Buffer Protection Requirements

(1) Stream Channelization/Piping

- a. Perennial streams, as defined by the Stormwater Management Manual, within a designated water supply watershed may not be channelized or piped, except for channelization permitted pursuant to Section 30-7-1.8 (C), Stream Channelization.
- b. Perennial streams that are outside of a designated water supply watershed and other streams that are not classified as perennial may be channelized or piped, but only after obtaining all applicable federal and state permits and certifications.

(2) Stormwater Management Stream Buffers. ~~Stream buffers serve to protect the floodplain from excessive encroachment and help to reduce the potential for negative impacts. On any streams where Section 30-7-1.8, Stream buffer required, requires a stream buffer, this Section will require the same buffer. On all other streams, or section of streams, to which this Section applies, stream buffers with minimum widths as specified below shall be maintained along all open (1) perennial streams, as defined by the Stormwater Management Manual, and (2) natural drainage channels draining an area equal to or larger than 50 acres. Where stricter stream buffer requirements exist, in Section 30-7-1, (Water Supply Watershed Districts), Section 30-7-2, (General Watershed Areas (GWA)), or Section 30-7-3 (Watershed Critical Areas (WCA)) of the Greensboro Development Ordinance, the stricter stream buffer requirements shall apply.~~

(2) Citywide Stream Buffer Widths:

- a. The buffer ~~width~~ shall consist of two strips of land totaling a minimum total width of 50 feet on each side of the water body:
 - (i) ~~Zone 1 consists of a~~ The first strip of land has a minimum width of 15 feet measured horizontally from and perpendicular to the top of stream bank, or the top of slopes steeper ~~greater~~ than 15%, or the edge of contiguous sensitive areas (i.e. wetlands). ~~Zone 1 This first strip of land and the area between this first strip of land and the first strip of land on the other side of the water body~~ is to be

maintained free from development including disturbance of the soil, grading or filling, erection of structures, fences or placement of impervious built-upon surfaces. ~~No disturbances are allowed in Zone 1 or the stream channel except those associated with street and driveway crossings, utility crossings, and installation of stormwater management facilities where no practicable alternative exists. The first strip of land may be included as in the areas contributing to Conservation or Floodplain Easements.~~

~~(ii) Zone 2 consists of a strip of land~~ The second strip of land has a minimum width of 35 feet measured horizontally from and perpendicular to ~~begins at the termination point of Zone 1~~ the landward edge of the first strip of land. This second strip of land is to be maintained free from occupied structures and ~~with impervious~~ shall maintain a built-upon area below 50 percent with the exception of public or private street crossings. ~~All Drainage Maintenance and Utility Easements described in the Greensboro Development Ordinance can be applied within Zone 2.~~

(g) Stormwater Management Requirements

- (1) Stormwater management requirements for all new development and redevelopment shall consist of, as a minimum, runoff control measures necessary to control runoff to a level which will not cause increased off-site quantity ~~flooding, drainage, or erosion~~ problems as specified in (2) and (3) below.

(2) Quantity Control Requirements:

- (a) The Engineer-Engineers shall provide a certification that said development or redevelopment would not cause increased offsite flooding, drainage, or erosion problems. Determination of impacts shall be based on hydrologic and hydraulic engineering studies extending downstream to a point where the proposed site development or redevelopment represents less than ten (10) percent of the total drainage area or watershed. The studies shall be based on an analysis of both 2- and 10-year storm events. (see ~~Storm Water~~ Stormwater Management Guidance Manual).
- (b) Where it is determined that the development of the said site does contribute to flooding, drainage or soil erosion problems at any location between the proposed development site and the 10 percent downstream point then ~~a runoff~~ stormwater quantity control plan improvements must be implemented. The ~~runoff~~ stormwater quantity control plan improvements must limit the 2-year and 10-year post-development peak discharge rates to pre-development peak discharge rates, to ~~prevent~~ minimize increased flooding, drainage, and erosion problems. These improvements may consist of nonstructural approaches such as natural swales, depressions in the land and other natural approaches, or structural approaches such as detention structures (wet and dry basins), extended detention facilities and alternative Best Management Practices with provisions for stormwater quantity control. A combination of nonstructural and structural approaches is encouraged.
- (c) For ~~all~~ stormwater management improvements that are proposed to be implemented to meet the quantity control requirements of this Section, a hydrologic-hydraulic analysis of the site drainage system in the pre-development condition and the post-development condition shall be performed. The analysis should be included with the Stormwater Management Plan and should demonstrate that the ~~stormwater management~~ quantity control requirements stated in Section 27-22 (h) ~~(4)~~ (2) of this Ordinance will be achieved by the proposed ~~facilities improvements.~~ These improvements shall be subject to review and approval by the Enforcement Officer.

- (3) Developments that meet the requirement for being identified as an Integrated ~~Multiple~~ Multi-Use Developments, Planned Unit Developments, phased developments or group developments can meet the requirements of [Section 27-22\(g\)](#) at the point the discharge leaves the overall property.

(h). *Master Plan Requirements:* It is the intent of the City of Greensboro to produce stormwater [quantity and quality](#) management master plans to guide the design and development of the drainage system for all of the major sub-watersheds [and watersheds](#) in the city. Where such master plans are available and approved by the City Council, site development projects are to conform to the stormwater management guidance and standards available in said master plans.

(i). *Additional Requirements:* ~~(1) In addition,~~ If site characteristics indicate that complying with ~~these~~ the minimum stormwater management requirements [of this Section](#) will not provide adequate designs or protection for local residents, and downstream property, it shall be the site designer's responsibility to exceed the minimum requirements as necessary.

(j). *Exempt Activities:* The following activities are exempt from the ~~plan submission and approval~~ requirements of ~~this~~ Section [27-22 \(g\)](#). However, any restrictions upon building location, drainageways, pavement, or other built-upon area, or any other matter appearing on any previously approved development plan covering the subject property, shall be complied with unless and until replaced by an approved revised plan.

(1) Individual Single Family housing on an individual lot.

(2) [Replacement of existing built-upon area with like or lesser amount of new built-upon at the same location, or at a different location on the same zone lot if the Enforcement Officer has determined that equal or improved stormwater management will result.](#)

(3) Placement of small accessory buildings or structures or small amounts of additional built-upon area provided that the total additional built-upon area is no greater than four hundred (400) square feet.

[Section 2.](#) The effective date of ~~this ordinance~~ [these amendments shall be July 1, 1999 April 4, 2000.](#) ~~All preliminary plans and site plans that have been were approved through the TRC process prior to July 1, 1999 will not be required to comply with this revision~~ [Section 27-22.](#) [Property covered by one or more of the following will be exempt from this ordinance:](#)

- [1. Unified Development Plan approved prior to April 4, 2000.](#)
- [2. Preliminary Subdivision Plat approved between July 1, 1997 and April 4, 2000 or covered by an earlier preliminary plat that remained valid \(refer to Section 30-6-7.8 and 30-6-12\) at any time during this period. This exemption also applies to the placement of one principal building and accessory structures on each lot.](#)
- [3. Site plan approved between July 1, 1997 and April 4, 2000 or covered by an earlier site plan that remained valid \(refer to Section 30-3-11.4\(F\)\) at any time during this period.](#)

[Section 3.](#) That Section 27-21 (c) is hereby amended to read as follows:

[\(c\). Soil Erosion and Sedimentation Control](#)

[\(1\) Incorporation of Section 30-7-4 \(Soil Erosion and Sedimentation Control\)](#)

[This section incorporates by reference the requirements of Section 30-7-4, Soil Erosion and Sedimentation Control.](#)

[Section 4.](#) That Section 27-21 (d) is hereby amended to read as follows:

[\(d\). Water Supply Watershed Districts](#)

(1) Incorporation of Section 30-7-1 (Water Supply Watershed Districts); Section 30-7-2 (General Watershed Areas); Section 30-7-3 (Watershed Critical Areas).

This section incorporates by reference the requirements of Section 30-7-1, Water Supply Watershed Districts; Section 30-7-2, General Watershed Areas; Section 30-7-3, Watershed Critical Areas.

Section 5. That Section 27-21 (e) (2) is hereby amended to read as follows:

(2) Stormwater Management

The design, construction, and maintenance of stormwater improvements to meet the requirements of Section 27-22 or Section 30-7 shall be according to the City of Greensboro Stormwater Management Manual under the specifications and requirements as set out by the City Manger and on file in the Office of the City Clerk, which specifications and requirements are hereby adopted and made a part of this chapter as if set out in full.

Section 6. That Section 27-21 (e) (6) is hereby deleted from the Ordinance.

Section 7. All ordinances in conflict with the provisions of this ordinance are repealed to the extent of such conflict.

(Signed) Yvonne J. Johnson

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Councilmember Carmany moved adoption of the resolution approving Stormwater Management Manual (First Edition) and authorizing the filing thereof with the City Clerk. The motion was seconded by Councilmember D. Vaughan; the resolution was adopted on the following roll call vote: Ayes: Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

49-00 RESOLUTION APPROVING STORMWATER MANAGEMENT MANUAL (FIRST EDITION) AND AUTHORIZING THE FILING THEROF WITH THE CITY CLERK

WHEREAS, on 16 March 1999 the City Council approved the amendments to Chapter 27 of the Greensboro Code of Ordinances which references the Stormwater Management Manual for requirements and guidance.

WHEREAS, on 21 December 1999 the City Council approved the amendments to Chapter 30 of the Greensboro Code of Ordinances which also references the Stormwater Management Manual for requirements and guidance.

WHEREAS, said Manual has been developed to provide engineers, developers, property owners and managers, and interested citizens with information on the City's Stormwater Management requirements, technical guidance on the methodology that can be used to meet the requirements, and guidelines for designing, implementing, and maintaining Best Management Practices (BMPs) that may be used in the City of Greensboro to minimize the stormwater runoff volume and discharge rates from developed areas.

WHEREAS, it is deemed in the best interest of the City to adopt the First Edition of the Stormwater Management Manual.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the First Edition of the Stormwater Management Manual providing requirements and technical guidance for meeting stormwater management requirements, as authorized by Section 30-7 and Chapter 27 of the Greensboro Code of Ordinances, and which is presented herewith this day, is hereby in all respects approved; and the City Manager is directed to place an official copy thereof in the office of the City Clerk.

(Signed) Sandy Carmany

(A copy of the Stormwater Management Manual is filed in Exhibit Drawer N, Exhibit Number 7, which is hereby referred to and made a part of these minutes.)

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Mayor Holliday stated that this was the time and place set for a public hearing to consider a resolution confirming assessment roll for water main improvements on Brigham Road from West Market Street (US 421) to Pleasant Ridge Road.

After the Manager advised this item must be readvertised because of a change in the assessment roll, Councilmember D. Vaughan moved that this item be deleted. The motion was seconded by Councilmember Phillips and adopted unanimously by voice vote of Council.

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Moving to the Consent Agenda, Mayor Holiday read the titles of the following ordinances as required by the Greensboro Code of Ordinances:

- Ordinance increasing in the amount of \$4,202,675 the Capital Improvements Fund Budget for the Federal Clean Water Act Loan,
- Ordinance amending in the amount of \$81,800 State and Federal Grant Fund Budget to establish account for Hope VI Engineering Services Contract.

After Mayor Holliday requested a motion to adopt all ordinances, resolutions and motion listed on the Consent Agenda, Councilmember Phillips moved adoption of the Consent Agenda. The motion was seconded by Councilmember Carmany; the Consent Agenda was adopted on the following roll call vote: Ayes: Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan.

00-55 ORDINANCE INCREASING THE CAPITAL IMPROVEMENTS FUND BUDGET FOR THE FEDERAL CLEAN WATER ACT LOAN

Section 1. That the Capital Improvements Fund Budget for the Federal Clean Water Act Loan be established for the life of the project as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
503-7001-01.6000	Capital Improvements	\$4,202,675

And, this increase be financed by increasing the following revenue account:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
503-7001-01.9003	Federal Loan Program	\$4,202,675

(Signed) Thomas M. Phillips

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00-56 ORDINANCE AMENDING STATE AND FEDERAL GRANT FUND BUDGET TO ESTABLISH ACCOUNT FOR HOPE VI ENGINEERING SERVICES CONTRACT

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the State and Federal Grants Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriation to the State and Federal Grants Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-2250-01.5413	Consultant Services	\$81,800

and, that this increase be financed by increasing the following State and Federal Grants Fund account

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-2250-01.9437	Transfer from Bond Fund	\$40,900
220-2250-01.7170	Local Grant	<u>40,900</u>
Total		\$81,800

(Signed) Thomas M. Phillips

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50-00 RESOLUTION AUTHORIZING FUNDING AGREEMENT WITH GREENSBORO HOUSING AUTHORITY FOR ENGINEERING SERVICES FOR THE MORNINGSIDE HOMES/LINCOLN GROVE HOPE VI PROJECT

WHEREAS, the City of Greensboro is participating with the Greensboro Housing Authority (GHA) in the implementation of a comprehensive neighborhood revitalization program for the Morningside Homes/Lincoln Grove neighborhood, known as the HOPE VI project; and

WHEREAS, it is necessary to proceed with site documentation engineering services to facilitate further planning and design activities for the project; and

WHEREAS, the City has received an acceptable proposal from USInfrastructure, Inc. for provision of these services at a cost not to exceed \$81,800; and

WHEREAS, the City and GHA desire to enter into an Agreement to equally share the cost of these engineering services:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the City Manager is authorized to enter into a funding agreement with the Greensboro Housing Authority providing for the City and GHA to equally share the cost of the site documentation engineering services for the HOPE VI project, which services are expected not-to-exceed \$81,800.
2. That the City's portion of these engineering service costs will be funded from the City's previously approved HOPE VI funding commitment.
3. That, following execution of the Agreement with GHA, that the City will enter into and administer a contract with USInfrastructure, Inc. for provision of these engineering services.

(Signed) Thomas M. Phillips

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51-00 RESOLUTION APPROVING APPRAISAL AND AUTHORIZING THE PURCHASE OF PROPERTY OF JAMES HOWARD TROXLER FOR LANDFILL BUFFER

WHEREAS, in connection with the landfill buffer, the property owned by James Howard Troxler located at 1701 Huffine Mill Road at Tax Map No. 4-187-E-464S-9 is required by the City for said Project, said property being shown on the attached map;

WHEREAS, the required property has been appraised at a value of \$38,000.00, which appraisal, in the opinion of the City Council, is fair and reasonable;

WHEREAS, the owner has agreed to convey said property to the City at the appraised price and it is deemed in the best interest of the City to acquire said property.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the appraisal of the above mentioned portion of property in the amount of \$38,000.00 is hereby approved, and the purchase of the property in accordance with the appraisal is hereby authorized, payment to be made from account No. 553-6509-03.6011 CBR 005.

(Signed) Thomas M. Phillips

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52-00 RESOLUTION AUTHORIZING CITY ATTORNEY TO INSTITUTE PROCEEDINGS TO CONDEMN PORTION OF THE PROPERTY OF J. NORMAN CLEARY a/k/a JESSIE NORMAN CLEARY, IN CONNECTION WITH THE WESTLAND DRIVE AREA DRAINAGE

WHEREAS, J. Norman Cleary, a/k/a Jessie Norman Cleary is the owner of certain property located on Wimberly Drive and Preys Street, said property being as shown on the attached map;

WHEREAS, a portion of said property is required by the City in connection with the Westland Drive Area Drainage Project;

WHEREAS, negotiations with the owners at the appraised value of \$5,243.81 have been unsuccessful and said portion of property is necessary for said project;

WHEREAS, it is deemed necessary and in the best interest of the City that the City Attorney be authorized to institute civil proceedings to condemn said portion of property and that the Director of Finance be authorized to issue a draft to the Clerk of Superior Court as compensation to the owners in the amount of \$5,243.81;

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That, pursuant to Chapter 40A of the North Carolina General Statutes, the City Attorney is hereby authorized to institute condemnation proceedings to acquire said portion of property, and the Director of Finance is hereby authorized to issue a draft in the amount of \$5,243.81 to the Clerk of Superior Court as compensation to the owners, payment to be made from Account No. 203-6503-02.5427.

(Signed) Thomas M. Phillips

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53-00 RESOLUTION AUTHORIZING CITY ATTORNEY TO INSTITUTE PROCEEDINGS TO CONDEMN PORTION OF THE PROPERTY OF LONA A. HAYES IN CONNECTION WITH THE WESTLAND DRIVE AREA DRAINAGE

WHEREAS, Lona A. Hayes is the owner of certain property located on Muirs Chapel Road, said property being as shown on the attached map;

WHEREAS, a portion of said property is required by the City in connection with the Westland Drive Area Drainage Project;

WHEREAS, negotiations with the owners at the appraised value of \$3,987.36 have been unsuccessful and said portion of property is necessary for said project;

WHEREAS, it is deemed necessary and in the best interest of the City that the City Attorney be authorized to institute civil proceedings to condemn said portion of property and that the Director of Finance be authorized to issue a draft to the Clerk of Superior Court as compensation to the owners in the amount of \$3,987.36;

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That, pursuant to Chapter 40A of the North Carolina General Statutes, the City Attorney is hereby authorized to institute condemnation proceedings to acquire said portion of property, and the Director of Finance is hereby authorized to issue a draft in the amount of \$3,987.36 to the Clerk of Superior Court as compensation to the owners, payment to be made from Account No. 203-6503-02.5427.

(Signed) Thomas M. Phillips

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54-00 RESOLUTION CALLING A PUBLIC HEARING FOR APRIL 18, 2000 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – LOCATED AT THE NORTHWEST CORNER OF SANDY RIDGE ROAD AND CIDER ROAD – 15.21 ACRES

WHEREAS, the owner of all the hereinafter described property, which is contiguous to the City of Greensboro, has requested in writing that said property be annexed to the City of Greensboro;

WHEREAS, Chapter 160A, Section 31 of the General Statutes of North Carolina provides that territory may be annexed after notice has been given by publication one time in a newspaper of general circulation in the city;

WHEREAS, at a regular meeting of the City Council on the 4th day of April, 2000, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED AT THE NORTHWEST CORNER OF SANDY RIDGE ROAD AND CIDER ROAD – 15.21 ACRES)

Section 1. Pursuant to G.S. 160A-31, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at a point in the existing Greensboro city limit line (as of July 31, 1999), said point being the intersection of the west right-of-way line of Sandy Ridge Road and the north right-of-way line of Cider Road; THENCE DEPARTING FROM THE EXISTING CITY LIMITS and running with the northerly margin of Cider Road N 86° 16' 10" W 863.78 feet to a 1 ½" outside diameter existing iron pipe, a northerly corner of Stanley M. Harmon and wife Vicki S. Harmon (see Deed Book 3678, Page 175 of the Guilford County Registry); thence with said Stanley M. Harmon and wife the following two calls: (1) thence S 0° 14' 05" W 21.67 feet to an existing P. K. nail; (2) thence S 84° 51' 25" W 135.50 feet to an existing Carolina Steel Corp. concrete monument, with 3 ½ " bronze disk, stamped number 183; thence N 23° 40' 00" E, crossing a 7/8" outside diameter new iron pipe, at 876.37 feet, and continuing another 45.95 feet, for a total distance of 922.32 feet, to a new P. K. nail in the center line of Norfolk Southern Railway; thence with said Railway center line the following eight calls: (1) thence S 79° 06' 45" E 96.46 feet to an existing railroad spike; (2) thence S 80° 46' 10" E 54.90 feet to an existing nail; (3) thence S 81° 28' 35" E 28.37 feet to an existing railroad spike; (4) thence S 82° 34' 55" E 71.21 feet to a new P. K. nail; (5) thence S 84° 18' 50" E 100.50 feet to an existing nail; (6) thence S 86° 17' 15" E 99.77 feet to an existing nail; (7) thence S 88° 28' 30" E 99.98 feet to a new P. K. nail; (8) thence N 89° 31' 00" E 100.28 feet to an existing P. K. nail in the existing city limits; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS along the west right-of-way line of Sandy Ridge Road the following two calls: (1) S 01° 29' 05" W, crossing a 7/8" outside diameter new iron pipe, at 45.06 feet, and continuing another 363.73 feet, for a total distance of 408.79 feet, to an existing concrete monument; (2) thence S 01° 26' 10" W 399.97 feet to the point and place of BEGINNING, and containing 15.21 acres.

Section 2. The owner agrees to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owner shall be fully responsible for extending water and sewer service to the property at said owner's expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after June 30, 2000, the liability for municipal taxes for the 2000-2001 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after June 30, 2000.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That April 18, 2000 at 5:30 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than April 8, 2000.

(Signed) Thomas M. Phillips

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55-00 RESOLUTION AUTHORIZING CHANGE ORDER IN CONTRACT NO. 1999-24 WITH ENVIRONMENTAL PIPELINE INSPECTIONS, INC. FOR THE SANITARY SEWER REHABILITATION PROJECT "D" IMPROVEMENTS

WHEREAS, Contract No. 1999-24 with Environmental Pipeline Inspections, Inc. provides for sanitary sewer rehabilitation of North Buffalo Outfall improvements;

WHEREAS, the original contract contains special conditions which allow the City to increase the contract amounts up to fifty percent (50%) if in the best interest of the City;

WHEREAS, to date the contractor's work has been satisfactory and the City would like to extend the contract to include rehabilitation of the Allendale Outfall and Montgomery Place, thereby necessitating a change order in the contract in the amount of \$113,900.00.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That a change order in the above-mentioned contract with environmental Pipeline Inspections, Inc. for the rehabilitation of the Allendale Outfall and Montgomery Place Improvements is hereby authorized at a total cost of \$113,900.00, payment of said additional amount to be made from Account No. 503-7062-01.6017 (003).

(Signed) Thomas M. Phillips

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56-0 RESOLUTION GRANTING AN UNDERGROUND ENCROACHMENT FOR AN EASEMENT ON STREET RIGHTS-OF-WAYS TO IT CORPORATION ON BEHALF OF SEARS LOGISTICS SERVICES (SLS), INC. AND W.P. BALLARD AS FOLLOWS: CROSSING ROLLINS ROAD NEAR THE

INTERSECTION OF BRANCHWOOD DRIVE AND ROLLINS ROAD, BEING A TOTAL OF 50 LINEAR FEET OF REMEDIATION PIPING TO REMEDIATE SOIL AND GROUND WATER CONTAMINATION FROM A DRY CLEANING SUPPLY OPERATIONS AT THE W.P. BALLARD PROPERTY (2701 BRANCHWOOD DRIVE) SUBJECT TO AN ANNUAL ENCROACHMENT FEE FOR USE OF RIGHT-OF-WAY

WHEREAS, IT Corporation on behalf off Sears Logistics Services (SLS), Inc. has requested an encroachment easement from the City for the underground installment of 50 linear feet of remediation piping in order to remediate the contamination of perchloroethylene (PCE) by installing underground pipe between 2701 Branchwood Drive and 2600 Lawndale Drive;

WHEREAS, plans have been submitted to the City Utilities Coordinator, Environmental Services and Transportation for approval of the construction of the remediation line which would require trenching on Rollins Road as shown on the attached map;

WHEREAS, following installation of said pipe, IT Corporation will provide the necessary repair, if any, of the street in compliance with City standards;

WHEREAS, IT Corporation has agreed to pay a reasonable fee as a direct cost for such encroachment easement in the amount of \$3.00 per linear foot per annum so long as the fiber optic cable remains;

WHEREAS, in the opinion of the City council, such encroachment easement for the installation of remediation pipe will neither cause a public nuisance nor unreasonably interfere with the use of the streets and sidewalks by the public.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

IT Corporation is hereby authorized to encroach in the above described street right-of-way for the installation of pipe in Rollins Road as shown on the attached map, subject to an annual fee to be paid to the City in the amount of \$3.00 per linear foot of cable installed.

(Signed) Thomas M. Phillips

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Motion to approve minutes of regular meeting of 21 March 2000 was unanimously adopted.

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Mayor Holliday introduced a resolution approving Telecommunications Franchise Agreement between the City of Greensboro and Level 3 Communications—FIRST READING; he noted the matter was continued from the 7 March 2000 meeting of Council.

After some members of Council expressed concern that Council was legally required to approve this franchise, the City Attorney advised that this action involved a normal franchise agreement arrangement, and Council was required to approve because the company had met all Federally established. She stated that Council should not become involved in individual private property disagreements related to this franchise; the City Attorney also advised that the ordinance provided companies with the right to express concerns to Council if they disagreed with City staff. It was also noted that the City Attorney would review the standard ordinance provisions involved with the approval of franchise agreements to determine if changes were appropriate and report the findings to Council.

Jason Moilanen, attorney representing Level 3 Communications and residing in Colorado, responded to Council's inquiries regarding the company's negotiations with private property owners to address their concerns.

Councilmember Jones moved approval of the First Reading of the Resolution approving Telecommunications between the City of Greensboro and Level 3 Communications. The motion was seconded by Councilmember Vaughan; the First Reading of the resolution was adopted on the following roll call vote: Ayes: Carmany, Holliday, Johnson,

Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None. The second reading of the resolution will be scheduled for 18 April 2000.

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The Mayor introduced a resolution directing the City Manager to bring to Council a Living Wage ordinance compatible with the recommendations of the Living Wage Study Committee as proposed on February 22, 2000.

Dr. Andrew Brod, Director of Business and Economic Research at UNCG and Chair of the Living Wage Study Committee, residing at 1211 Briarcliff Road, reviewed the creation and charge of the Committee and provided a review of their final report. He explained the basic provisions of a living wage ordinance and reviewed the options that would guarantee city employees and some employees of city contractors a living wage. Dr. Brod reviewed the estimated cost to the City for the various options offered for Council's consideration and provided information related to the enactment of a living wage ordinance in other cities.

Council discussed with Dr. Brod various opinions, concerns and specific details with respect to the various options contained in the Committee's report. Members of Council recognized and expressed appreciation to the Committee members who were present for the meeting.

Councilmember Vaughan moved that proponents and opponents of the Living Wage issue be allowed 30 minutes for their presentation. The motion was seconded by Councilmember Johnson and adopted unanimously by voice vote of Council.

The following individuals spoke in favor of a Living Wage ordinance as outlined in the Study Committee's report:

Larry Morse, residing at 224 Kensington Road, provided a history of the living wage concept, spoke to the importance of workers who perform low-level skilled tasks, noted the discrepancy in pay of some city employees and contract workers, and encouraged Council to support a living wage.

Barbara Council, residing at 2512 Spring Garden Street, detailed her personal experience of working for low wages, spoke to the number of necessary service jobs which are paid less than a living wage, and offered her opinion with respect to the cost to the City of providing a living wage. Ms. Council read portions of a letter from former Mayor Carolyn Allen which supported adoption of a living wage; she thereupon requested Council to adopt a living wage ordinance as a model for others in the City.

Angie Roberson, residing at 4232D Edith Lane, provided details with regard to her work and salary as a child care professional. She encouraged Council to adopt a living wage ordinance to ensure that workers' pay is commensurate with the level of service they provide.

O. W. Sweeney, residing at 1925 Taylor Street and a member of the Living Wage Study Committee, encouraged Council to adopt a living wage ordinance and offered his opinion with respect to the impact of low paying jobs on families; i.e., increased criminal activity, the need for public assistance, eroding family values, etc.

A number of people were present in the Chamber in support of the adoption of a living wage ordinance.

Gordon Chamberlin, residing at 925 New Garden Road, spoke to his membership in the North Carolina Poverty Project and the Poverty Coalition. He stated he believed all employees should receive a living wage, spoke to the essential services provided by individuals with low-paying jobs, offered his opinion of the lifestyle to which all citizens were entitled, and encouraged Council to adopt a living wage ordinance.

Dave Coker, residing at 516 South Aycock Street, offered details with regard to living wage ordinances in other areas, spoke in favor of a tax increase to fund a living wage ordinance, and stated that the system should be changed to provide working people with economic freedom.

Henry Stowe, residing at 5247 Foxhunt Drive, spoke in opposition to a living wage ordinance. He offered his personal thoughts as to the manner in which workers in low-paying jobs could be offered assistance by developing a

policy to improve conditions for American workers and address problems related to the loss of American jobs to other countries and the increase of available workforce for lower-paying positions. He spoke in opposition to a tax increase to fund a living wage.

Council discussed individual opinions and concerns with respect to a living wage ordinance and the options offered by the Committee for consideration. Members of Council discussed the financial impact this ordinance would have on City resources, area businesses, and citizens with fixed incomes, etc. Discussion was also held with regard to the opinion that the living wage would artificially inflate wages, the understanding that this action would support the expenditure of taxpayer money to fund a redistributive policy, the Council's desire to recruit to Greensboro industries that would pay living wages and provide better career opportunities for citizens, the hope that individuals in unskilled labor positions would take advantage of opportunities to prepare for higher employment and the belief that the free market should set wages.

After lengthy discussion, Councilmember Johnson moved adoption of the resolution directing the City Manager to bring to Council a living wage ordinance compatible with the recommendations of the Living Wage Study Committee as proposed on February 22, 2000. The motion was seconded by Councilmember Jones; the resolution was **DEFEATED** on the following roll call vote: Ayes: Johnson and Jones. Noes: Carmany, Holliday, Perkins, Phillips, Vaughan and Vaughan.

After requesting that Councilmember Johnson temporarily preside at the meeting, the Mayor moved that the Council direct the Manager to institute a policy that would allow full-time and permanent part-time employees for the City to be paid the equivalent of the national poverty level. The motion was seconded by Councilmember Jones. After discussion with respect to the financial impact on the City budget, the number of employees affected and other specifics related to the proposal, the motion was **DEFEATED** on the following roll call vote: Ayes: Holliday, Johnson and Jones. Noes: Carmany, Perkins, Phillips, Vaughan and Vaughan.

(A copy of the resolution as **DEFEATED** and related information is filed in Exhibit Drawer N, Exhibit Number 7, which is hereby referred to and made a part of these minutes.)

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The Mayor declared a recess at 7:40 p.m.

The meeting reconvened at 7:52 p.m. with all members of Council present, except Councilmember Burroughs-White who had been excused earlier in the meeting. The Mayor reassumed the Chair.

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Mayor Holliday introduced an ordinance amending in the amount of \$500,000 War Memorial Coliseum Complex Fund Budget for the replacement of the electrical distribution system at the War Memorial Auditorium.

After the Manager stated that approval of this ordinance would provide funding to address the most necessary electrical equipment maintenance and improvements at the War Memorial Auditorium and enable the continued efficient operation of the facility, Councilmember Carmany moved adoption of the ordinance. The motion was seconded by Councilmember Phillips; the ordinance was adopted on the following roll call vote: Ayes: Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

00-57 ORDINANCE AMENDING WAR MEMORIAL COLISEUM COMPLEX FUND BUDGET FOR THE REPLACEMENT OF THE ELECTRICAL DISTRIBUTION SYSTEM AT THE WAR MEMORIAL AUDITORIUM

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the FY 99-00 War Memorial Coliseum Complex Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriation to the War Memorial Coliseum Complex Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
521-7535-06.5613	Maintenance and Repair-Bldg.	\$500,000

and, that this increase be financed by increasing the following War Memorial Coliseum Complex Fund account

<u>Account</u>	<u>Description</u>	<u>Amount</u>
521-0000-00.9101	Transfer from General Fund	\$500,000

(Signed) Sandy Carmany

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After the Mayor introduced a resolution approving bid in the amount of \$894,981 and authorizing execution of Contract no. 2000-03 with Yates Construction Company, Inc. for seven storm sewer improvement projects, Councilmember Jones moved adoption of the resolution. The motion was seconded by Councilmember D. Vaughan; the resolution was adoption of the following roll call vote: Ayes: Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

57-00 RESOLUTION APPROVING BID AND AUTHORIZING EXECUTION OF CONTRACT NO. 2000-03 WITH YATES CONSTRUCTION CO., INC. FOR SEVEN STORM SEWER IMPROVEMENT PROJECTS

WHEREAS, after due notice, bids have been received for storm sewer improvements for various projects throughout the City;

WHEREAS, Yates Construction Co., Inc., a responsible bidder, has submitted the low base and alternate bid in the total amount of \$894,981.00 as general contractor for Contract No. 2000-03, which bid, in the opinion of the City Council, is the best bid from the standpoint of the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the bid hereinabove mentioned submitted by Yates Construction Co., Inc. is hereby accepted, and the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper contract to carry the proposal into effect, payment to be made from Account No. 203-6503-02.5427.

(Signed) Earl Jones

(A copy of the bids for storm sewer improvements is filed with the above resolution and is hereby referred to and made a part of these minutes.)

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After the Mayor introduced a resolution authorizing change order in the amount of \$198,973 in Contract No. 1999-19G with Laughlin-Sutton Construction Company for the Lake Daniel Pump Station and Reservoir Modifications, Councilmember D. Vaughan moved adoption of the resolution. The motion was seconded by Councilmember Jones; the resolution was adopted on the following roll call vote: Ayes: Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

58-00 RESOLUTION AUTHORIZING CHANGE ORDER IN CONTRACT NO. 1999-19G WITH LAUGHLIN-SUTTON CONSTRUCTION COMPANY FOR THE LAKE DANIEL PUMP STATION AND RESERVOIR MODIFICATION IMPROVEMENTS

WHEREAS, Contract No. 1999-19G with Laughlin-Sutton Construction Company provides for the proposed reservoir cover for the Lake Daniel Pump Station;

WHEREAS, the original contract called for a mechanically fastened roof system for the proposed reservoir cover;

WHEREAS, it is the opinion of staff that a fully adhered roofing system will better suit the City's needs than the mechanically fastened roof system called for in the original contract;

WHEREAS, the benefits of a fully adhered roofing system are longer waterproof life and being able to keep the reservoir in service when a new cover is required; thereby necessitating a change order in the contract in the amount of \$198,973.00.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That a change order in the above-mentioned contract with Laughlin-Sutton Construction Company for the Lake Daniel Pump Station and Reservoir modifications is hereby authorized at a total cost of \$198,973.00, payment of said additional amount to be made from Account No. 508-7028-02-6019.

(Signed) Donald R. Vaughan

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After Mayor Holliday introduced a resolution authorizing change order in the amount of \$193,418 in Contract No. 1999-05, Section A with Billings & Garrett, Inc. for the Reidsville Water Main Improvements, Councilmember D. Vaughan moved adoption of the resolution. The motion was seconded by Councilmember Jones; the resolution was adopted on the following roll call vote: Ayes: Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

59-00 RESOLUTION AUTHORIZING CHANGE ORDER IN CONTRACT NO. 1999-05 SECTION A WITH BILLINGS AND GARRETT, INC. FOR THE REIDSVILLE WATER MAIN IMPROVEMENTS

WHEREAS, Contract No. 1999-05 with Billings and Garrett, Inc. provides for the Reidsville Water Main Improvements;

WHEREAS, during the testing phase it was discovered that there was a problem with saddle fittings used on two of three segments of the project which resulted in negotiations to settle any dispute between the contractor and the City, thereby necessitating a change order in the contract in the amount of \$193,418.00.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That a change order in the above-mentioned contract with Billings and Garrett, Inc. for the Reidsville Water Main Improvements is hereby authorized at a total cost of \$193,418.00, payment of said additional amount to be made from Account No. 509-7026-01-6016.

(Signed) Donald R. Vaughan

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After the Mayor introduced a resolution authorizing change order in the amount of \$85,000 in Contract No. 1999-15, Section C with Bryant Electric Company, Inc. for the Reidsville Water Main Improvements, Councilmember Carmany moved adoption of the resolution. The motion was seconded by Councilmember Johnson; the resolution was adopted on the following roll call vote: Ayes: Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

60-00 RESOLUTION AUTHORIZING CHANGE ORDER IN CONTRACT NO. 1999-15 SECTION A WITH BRYANT ELECTRIC COMPANY, INC. FOR THE REIDSVILLE WATER MAIN IMPROVEMENTS

WHEREAS, Contract No. 1999-15 with Bryant Electric Company, Inc. provides for the Reidsville Water Main Improvements;

WHEREAS, during the testing phase it was discovered that there was a problem with saddle fittings used on two of three segments of the project which resulted in negotiations to settle any dispute between the contractor and the City, thereby necessitating a change order in the contract in the amount of \$85,000.00.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That a change order in the above-mentioned contract with Bryant Electric Company, Inc. for the Reidsville Water Main Improvements is hereby authorized at a total cost of \$85,000.00, payment of said additional amount to be made from Account No. 509-7026-01-6016.

(Signed) Sandy Carmany

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Florine Wall, residing at 1320 Flag Street, spoke to the therapeutic value of water aerobics for individuals with medical problems, stated the existing public pools in Greensboro had limited access and were overcrowded, and requested Council to consider a new swimming facility for the downtown area.

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Henry Stowe, residing at 5237 Foxhunt Drive, expressed concern with the use of camera radar for speed enforcement. He spoke to problems related to this technology and stated that this electronic equipment did not reduce accidents and address other problems related to traffic, and offered statistics which reflected that increased speed limits had reduced traffic problems. He requested that Council not consider the use of camera radar for speed enforcement.

Lewis Fadely, residing at 612 West Friendly Avenue, spoke in opposition to the use of photo radar and stated that because this technology did not provide a forum for citizens, he believed this would infringe on citizens' rights.

Members of Council discussed various opinions and concerns with respect to the proposed use of photo radar for speed enforcement in Greensboro; i.e., the need for viable solutions to increasing problems with speeding, the administrative problems this technology had created in other municipalities, whether additional police officers would be more cost effective, etc.

After additional discussion, Councilmember Phillips directed the Manager to have staff explore alternatives for the use of photo radar to enforce speed limits and report the findings to Council.

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Councilmember Phillips requested Police Department staff to consider aggressive enforcement in areas prior to the installation of signs to inform the public.

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Speaking to his frequent use of the pedestrian tunnel beneath the Murrow Boulevard/Fisher Avenue connection, Bill McCue, residing at 713 Chestnut Street, commended the City or other responsible parties for the cleanup of that tunnel. He observed that Greensboro's clean downtown area reflected the fine job the City was doing; Mr. McCue also expressed appreciation of Council for their fine work.

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Council discussed various events, meetings and items of interest to Council and Greensboro citizens. They also expressed best wishes and warm thoughts to Councilmember Burroughs-White.

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Councilmember N. Vaughan spoke to traffic enforcement problems in her district and reiterated her support of efforts to reduce speeding.

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Advising she would make detailed information available for review, Councilmember Johnson requested Council to consider a request from the Women's Resource Center to provide funding for the preparation of a pocket guide for families in need of community assistance.

Councilmember Johnson provided a brief update on the Hope VI Community Revitalization Project regarding the developer, computer training for residents and the number of residents that had moved.

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Councilmember D. Vaughan added the name of Tim Marion to the boards and commissions data bank for consideration of future service on the Bryan Park Golf Commission.

Councilmember D. Vaughan moved that William Armfield, Jr. be reappointed to serve a three-year term on the Airport Authority. Discussion ensued with regard to the appropriate time for Council to address this reappointment and the quality service provided by Mr. Armfield on this Authority. Councilmember Phillips thereupon seconded the motion to reappoint Mr. Armfield; the motion was unanimously adopted by voice vote of Council.

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Councilmember Carmany added the name of Eliana Bennett to the boards and commissions data bank for consideration of future service on the Commission on the Status of Women.

Councilmember Carmany moved that Peter G. Kauber be appointed to fill the unexpired portion of term of Gerald Inhofer on the Zoning Commission; this term will expire 15 August 01. The motion was seconded by Councilmember D. Vaughan and adopted unanimously by voice vote of Council.

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The Mayor reminded Council of specific upcoming events of importance to the Council and Greensboro.

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The Council and Manager discussed an invitation from Downtown Greensboro, Inc. to attend a walking tour and dinner on June 5.

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Councilmember Johnson moved that the City Council adjourn. The motion was seconded by Councilmember Jones and adopted unanimously by voice vote of the Council.

THE CITY COUNCIL ADJOURNED AT 8:48 P.M.

KEITH A. HOLLIDAY
MAYOR

YVONNE J. JOHNSON
MAYOR PRO TEM

JUANITA F. COOPER
CITY CLERK
